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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,

**Plaintiff,**

VS.

Daniel David Rigmaiden,

Defendant.

CR-08-814-001-PHX-DGC

## **MOTION FOR ENLARGEMENT OF TIME**

The United States, by and through its attorneys undersigned, respectfully requests this Court enter an order enlarging the time for the government to complete its responses to defendant Daniel David Rigmaiden's following motions: (1) Motion to Dismiss for (1) Government's Prejudicial Extrajudicial Press Comments Severe Enough to Impeach Claimed Indifference of Jurors, and/or (2) Various Government Misconduct (Docket No. 1000); (2) Supplement to Motion to Dismiss for (1) Government's Prejudicial Extrajudicial Press Comments Severe Enough to Impeach Claimed Indifference of Jurors, and/or (2) Various Government Misconduct (Docket No. 1005); (3) Motion to Dismiss Count 72, Unauthorized Access of a Computer With Intent to Defraud, 18 U.S.C.

1       § 1030(a)(4) for Failure to State an Offense (Docket No. 1016); and (4) Second  
2       Supplement to Motion to Suppress Re: Search and Seizure of Digital Evidence Under  
3       N.D.Cal. Warrants (Docket No. 1032), until Friday, December 19, 2013. The lead  
4       prosecutor in this case needs additional time to work on the multiple responses to these  
5       voluminous materials and address other pending matters in this case. Finally, the parties  
6       are continuing to use this additional time in order to resolve pending issues regarding the  
7       deletion of materials from devices seized from the defendant. A revised draft stipulation,  
8       which is extremely detailed, regarding the handling of this issue is currently being  
9       reviewed by the defendant. Defendant DANIEL DAVID RIGMAIDEN has no objection  
10      to this motion.

11           It is expected that excludable delay under 18 U.S.C. § 3161(h) may occur as a  
12      result of this motion or an order based thereon.

13           Respectfully submitted this 18<sup>th</sup> day of October, 2013.

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S/ Frederick A. Battista  
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## CERTIFICATE OF SERVICE

I hereby certify that on October 18, 2013, I caused the attached document to be electronically transmitted to the Clerk's Office using the ECF system for filing and transmittal of a Notice of Electronic Filing to the following ECF registrant:

Philip Seplow  
Shadow Counsel for Defendant Daniel David Rigmaiden

A copy of the attached document was also mailed to:

Daniel David Rigmaiden  
Agency No. 10966111  
CCA-CADC  
PO Box 6300  
Florence, AZ 85132

S/Frederick A. Battista

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